

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

HECTOR LUIS PENA DE LEON
DEBTOR

CASE NO 17-06462 BKT

CHAPTER 13

**DEBTOR'S MOTION IN COMPLIANCE WITH ORDER
DOCKET NO. 23**

TO THE HONORABLE COURT:

COMES NOW, HECTOR LUIS PENA DE LEON, the Debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays as follows:

1. On January 31, 2018 this Honorable Court issued an ORDER Docket No. 23, whereby the Debtor was Ordered to comply with the filing of documents required by the Chapter 13 Trustee in a Trustee's Objection to Proposed Plan Confirmation Under Section 1325, Docket No. 22 and to cure the Plan arrears within fourteen (14) days or the case may be dismissed without further hearing or notice. ORDER due by 02/14/2018. ORDER, Docket No. 23.

2. That the grounds for the Trustee's Objections to the Debtor's proposed Plan confirmation are the following:

- a. that the Debtor had failed to submit to the Chapter 13 Trustee a Business Questionnaire;
- b. that the Debtor had failed to list the 2016 tax refund;
- c. that the Debtor's proposed Plan did not provide for the full payment plus interest for the general unsecured creditors;

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- d. that the Plan fails to comply with the required treatment of allowed secured claims;
- e. that the Debtor is in arrears for the amount of \$1,500.00 (Payment Default Feasibility);
- f. that the Debtor has failed to comply with tax return filing requirement of Section 1308;
- g. that the Debtor must amend Schedule I to include a \$500.00 rent income;
- h. that the Debtor must upload income and expense sheets for the 6 months prior to the filing of the case (evidence was shown at the meeting of creditors); and
- i. that the Debtor must submit evidence of rent from income.

3. The Debtor respectfully submits that all the objections raised by the Chapter 13 Trustee were corrected and/or the required information was submitted, as follows:

- a. on February 13, 2018, the Debtor submitted to the Chapter 13 Trustee (UPLOADED TO Trustee's system) a copy of the required Business Questionnaire;
- b. that on February 13, 2018, the Debtor filed Amended Schedules A/B & C, Docket No. 25 in order to list the 2016 tax refund;
- c. that On February 13, 2018, the Debtor filed a proposed Amended Plan Docket No. 27, to provide for the full payment plus interest for the general unsecured creditors;

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- d. that the Debtor's Amended Plan Docket No. 27, also provides for the required treatment of allowed secured claims;
- e. that the Debtor has made three (3) Plan payments to the Trustee to cover the months of November, December/2017 and January/2018, and in addition, the Debtor is requesting an ORDER from the Court to modify the Plan payment schedule in order to commence making payments to the Chapter 13 Trustee in November, 2017, thus, curing the arrears in the Plan (Payment Default Feasibility);
- f. that the Debtor did submit to the Trustee copy of all tax returns filed with the Puerto Rico Treasury Department prior to the 341 meeting of creditors and that on January 09, 2018, and again on February 12, 2018, the Debtor submitted to the Chapter 13 Trustee (uploaded to Trustee's system) a copy of the required 1040PR IRS tax returns in order to comply with tax return filing requirement of Section 1308 (attached is copy of TEDFA confirmation receipts for 01/09/2018 and 02/12/2018);
- g. that on February 13, 2018, the Debtor filed Amended Schedules I and J, Docket No. 26, in order to include a \$500.00 rent income;
- h. that on February 14, 2018, the Debtor uploaded to the Trustee's system a copy of the income and expense sheets for the 6 months prior to the filing of the case (evidence was shown at the meeting of creditors); and

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i. that on February 13, 2018 the Debtor submitted to the Trustee (uploaded to the Trustee's system) a copy of a residential lease agreement as evidence of rent income.

3. Based on the above stated, the Debtor respectfully requests that this Honorable Court be informed of the foregoing and grant the present motion in compliance with this Court's ORDER, Docket No. 23, in the above captioned case.

WHEREFORE, the Debtor, through the undersigned attorney respectfully requests that this Honorable Court grant the foregoing motion in compliance with this Court's ORDER Docket No. 23, in the above captioned case.

I CERTIFY that on this same date a copy of this motion was filed with the Clerk of the Court using the CM/ECF system which will send notice of same to the Chapter 13 Trustee, Jose Ramon Carrion Morales, Esq., and to all CM/ECF participants; I also certify that a copy of this motion was sent via US Mail to the Debtor Hector Luis Pena de Leon, PO Box 788 Saint Just PR 00978.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 14th day of February, 2018.

/s/ Roberto Figueroa Carrasquillo
USDC #203614
RFIGUEROA CARRASQUILLO LAW OFFICE PSC
ATTORNEY FOR PETITIONER
PO BOX 186 CAGUAS PR 00726
TEL NO 787-744-7699 FAX 787-746-5294
Email: rfigueroa@rfclawpr.com

Chapter 12 & 13... Trustee Electronic Document Filing Application ... https://www.cmc-pr-decs.com/documentfiling/CaseId=7778ffd5-8e...

TRUSTEE ELECTRONIC DOCUMENT FILING APPLICATION (TEDFA)

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Chapter 13 & 12 Trustee

Trustee Electronic Document Filing Application (TEDFA)

Confirmation Receipt

Case Number: 1706462

Username: roberto

Debtor 1: HECTOR LUIS PENA DE LEON

Debtor 2:

Lawyer: ROBERTO FIGUEROA CARRASQUILLO*

Atty. Firstname: Roberto

Atty. Lastname: Figueroa Carrasquillo

Law Firm: Law Office

Document Type Filed: Taxes - Other Tax Returns - FICA, FUTA, CRIM, IVU etc.

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TRUSTEE ELECTRONIC DOCUMENT FILING APPLICATION (TEDFA)

José R. Carrión-Morales, Esq.



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Roberto Figueroa Carrasquillo -- Law



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Trustee Electronic Document Filing Application (TEDFA)

Confirmation Receipt

Case Number:1706462

Username: roberto

Debtor 1: HECTOR LUIS PENA DE LEON

Debtor 2:

Lawyer: ROBERTO FIGUEROA CARRASQUILLO*

Atty. Firstname: Roberto

Atty. Lastname: Figueroa Carrasquillo

Law Firm: Law Office

Document Type Filed: Taxes - Other Tax Returns - FICA, FUTA, CRIM, IVU etc.

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